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09/940,341	08/27/2001	Byron Yafuso	PA000112	4933
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Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714			ELAHEE, MD S	
			ART UNIT	PAPER NUMBER
			2645	6

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,341

Applicant(s)

YAFUSO, BYRON

Examiner

Md S Elahee

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed 06/20/03. Claims 1-30 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 15-20, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Brady (U.S. Patent No. 5,982,857).

Regarding claims 1, 29 and 30, Brady teaches receiving automatic number identification (ANI) (i.e., call identification information) of an incoming call (fig.3; col.3, lines 55-65).

Art Unit: 2645

Brady further teaches generating a filename based on the call identification information (fig.3; col.4, lines 16-25, 40-51).

Brady further teaches allocating a region of a data storage to the incoming telephone call (fig.3; col.3, lines 55-65, col.4, lines 40-51, col.5, lines 5-11).

Brady further teaches receiving voice communication (i.e., message data) of an incoming telephone call (fig.3; col.4, lines 40-51, 64-66).

Brady further teaches storing received voice communication to the allocated region (fig.3; col.4, lines 40-51, 64-66, col.5, lines 5-11).

Regarding claim 2, Brady teaches that the call identification information includes a calling number, and wherein the generating a filename based on the call identification information includes generating a filename based on the calling number (fig.3; col.3, lines 55-65, col.4, lines 40-51).

Regarding claim 3, Brady teaches the call identification information includes at least one among a date and a time of the incoming telephone call, and wherein the generating a filename based on the call identification information includes generating a filename based on at least one among the date and the time of the incoming telephone call (fig.3; col.3, lines 55-65, col.4, lines 40-51, col.5, lines 2-5).

Regarding claim 4, Brady teaches storing the filename (col.4, lines 40-51, col.5, lines 1-11).

Regarding claim 5, Brady teaches answering the incoming telephone call, wherein the receiving call identification information of an incoming telephone call occurs prior to answering the incoming call (col.2, lines 5-7, col.3, lines 55-65).

Art Unit: 2645

Regarding claim 6, Brady teaches storing information associating the filename (col.4, lines 40-51, col.5, lines 1-11).

Regarding claim 7, Brady teaches determining a numerical index (i.e., alias) corresponding to the call identification information, wherein the generating a filename based on the call identification information includes generating a filename based on the numerical index (col.4, lines 40-51).

Regarding claim 15 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Brady teaches a decoder inherently configured and arranged to output automatic number identification (ANI) (i.e., call identification information) of the incoming telephone call (fig.3; col.3, lines 55-65).

Regarding claims 16-20 are rejected for the same reasons as discussed above with respect to claims 2, 3, 5, 4 and 6 respectively.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Heiner (U.S. Patent No. 6,370,235).

Regarding claim 8, Brady Groner fails to teach “comparing the call identification information to an entry of a reject list”. Heiner teaches comparing the source of the call

Art Unit: 2645

with an electronic identification means to a reject list (abstract; col.1, lines 31-52; 'source of the call with an electronic identification means' reads on the claim 'call identification information' and 'a reject list' reads on the claim 'an entry of a reject list'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow comparing the call identification information as taught by Heiner. The motivation for the modification is to have the comparison in order to prevent the transmission of unsolicited phone calls.

Regarding claim 22, Brady fails to teach "at least one of the telephone interface, the decoder, the filename generator, and the storage interface is further configured and arranged to compare the call identification information to an entry of a reject list". Heiner teaches comparing the source of the call with an electronic identification means to a reject list (abstract; col.1, lines 31-52; 'comparing' reads on the claim 'at least one of the telephone interface, the decoder, the filename generator, and the storage interface is further configured and arranged to compare', 'source of the call with an electronic identification means' reads on the claim 'call identification information' and 'a reject list' reads on the claim 'an entry of a reject list'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow comparing the call identification information as taught by Heiner. The motivation for the modification is to have the comparison in order to prevent the transmission of unsolicited phone calls.

7. Claims 9 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Smiga et al. (U.S. Patent No. 6,421,678).

Art Unit: 2645

Regarding claim 9 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Brady fails to teach “displaying a list of call information entries, each entry relating to one among the plurality of incoming telephone calls”. Smiga teaches displaying identification of the linked Calls list (col.8, lines 24-52; ‘identification of the linked Calls list’ reads on the claim ‘a list of call information entries, each entry relating to one among the plurality of incoming telephone calls’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow displaying a list of call information entries as taught by Smiga. The motivation for the modification is to have the display in order to monitor the calling numbers so that the called party can make calls based on his own choice.

Regarding claim 23, Brady fails to teach “a user interface configured and arranged to display a list of call information entries, wherein each of the call information entries relates to one of a plurality of received incoming telephone calls”. Smiga teaches displaying identification of the linked Calls list (col.8, lines 24-52; ‘displaying’ reads on the claim ‘a user interface configured and arranged to display’, ‘identification of the linked Calls list’ reads on the claim ‘a list of call information entries, wherein each of the call information entries relates to one of a plurality of received incoming telephone calls’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow displaying a list of call information entries as taught by Smiga. The motivation for the modification is to have the display in order to monitor the calling numbers so that the called party can make calls based on his own choice.

Art Unit: 2645

8. Claims 10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Smiga et al. (U.S. Patent No. 6,421,678) and further in view of Alperovich (U.S. Patent No. 6,175,741).

Regarding claims 10 and 25, Brady fails to teach “displaying the list of call information entries according to the priorities of the plurality of incoming telephone calls”. Smiga teaches displaying identification of the linked Calls list according to the priority (fig.3-fig.7; col.6, lines 14-47, col.8, lines 24-52; ‘identification of the linked Calls list’ reads on the claim ‘the list of call information entries’ and ‘priority’ reads on the claim ‘priorities of the plurality of incoming telephone calls’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow displaying the list of call information entries as taught by Smiga. The motivation for the modification is to have the display in order to monitor the calling numbers so that the called party can make calls based on his own choice.

Brady in view of Smiga fails to teach “receiving a priority corresponding to each of the plurality of incoming telephone calls”. Alperovich teaches receiving a priority corresponding to each of the plurality of incoming telephone calls (col.8, lines 19-26). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady in view of Smiga to allow receiving a priority corresponding to each of the plurality of incoming telephone calls as taught by Alperovich. The motivation for the modification is to receive a priority of the incoming call so that the called party can answer calls based on the priority.

Art Unit: 2645

9. Claims 11 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Smiga et al. (U.S. Patent No. 6,421,678) and further in view of Grundvig et al. (U.S. Patent No. 6,061,435).

Regarding claim 11, Brady in view of Smiga fails to teach “reproducing message data corresponding to a selected displayed call information entry”. Grundvig teaches reproducing the call related information on a display screen (col.8, lines 24-52; ‘the call related information on a display screen’ reads on the claim ‘message data corresponding to a selected displayed call information entry’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady in view of Smiga to allow reproducing message data as taught by Grundvig. The motivation for the modification is to have the reproduction of the message data in order to provide information regarding the call to the user.

Regarding claim 26, Brady in view of Smiga fails to teach “the user interface is further configured and arranged to receive a user selection of one of the call information entries”. Grundvig teaches receiving a selection of the user input as telephone control information (abstract; col.8, lines 24-52; ‘receiving’ reads on the claim ‘the user interface is further configured and arranged to receive’, ‘selection’ reads on the claim ‘a user selection’ and ‘user input as telephone control information’ reads on the claim ‘one of the call information entries’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady in view of Smiga to allow receiving a user selection of one of the call information entries as taught by Grundvig. The motivation for the modification is to have the selection in order to provide specific information entry regarding the call.

Brady in view of Smiga fails to teach “the storage interface is further configured and arranged to retrieve message data corresponding to the selected call information entry from the data storage”. Grundvig teaches reproducing the call related information on a display screen (col.8, lines 24-52; ‘reproducing’ reads on the claim ‘the storage interface is further configured and arranged to retrieve’ and ‘the call related information on a display screen’ reads on the claim ‘message data corresponding to a selected displayed call information entry from the data storage’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady in view of Smiga to allow reproducing message data as taught by Grundvig. The motivation for the modification is to have the reproduction of the message data in order to provide information regarding the call to the user.

10. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Groner (U.S. Patent No. 6,507,643)

Regarding claim 12, Brady fails to teach “storing received message data within memory of a wireless phone”. Groner teaches storing the resultant text message within memory of a wireless phone (col.1, lines 33-53, col.2, lines 22-38, col.5, lines 5-67, col.6, lines 1-51, col.10, lines 19-28; ‘the resultant text message’ reads on the claim ‘received message data’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow storing received message data as taught by Groner. The motivation for the modification is to have the storing in order to provide an option to retrieve received message data for later use.

Regarding claim 13, Brady fails to teach “storing received message data within wireless infrastructure apparatus associated with a wireless phone associated with a

Art Unit: 2645

phone number to which the incoming telephone call was placed”. Groner teaches storing the resultant text message within memory of a wireless phone together with call identification number (col.1, lines 33-53, col.2, lines 22-38, col.5, lines 5-67, col.6, lines 1-51, col.10, lines 19-28; ‘the resultant text message’ reads on the claim ‘received message data’, ‘memory of a wireless phone’ reads on the claim ‘wireless infrastructure apparatus associated with a wireless phone’ and ‘together with call identification number’ reads on the claim ‘associated with a phone number to which the incoming telephone call was placed’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow storing received message data associated with a phone number as taught by Groner. The motivation for the modification is to have the storing in order to provide an option to retrieve information associated with a phone number for later use.

11. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Lemaire et al. (U.S. Patent No. 5,444,768).

Regarding claim 14 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Brady fails to teach “data storage residing within a portable computer”. Lemaire teaches storage within a portable computer device (abstract; col.8, lines 24-52; ‘storage’ reads on the claim ‘data storage’ and ‘within a portable computer device’ reads on the claim ‘residing within a portable computer’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow data storage residing within a portable computer as taught by Lemaire. The motivation for the modification is to have the data storage in order to record message within the memory of the portable computer.

Art Unit: 2645

12. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Rhodes (U.S. Patent No. 6,343,120).

Regarding claim 21 is rejected for the same reasons as discussed above with respect to claim 7. Furthermore, Brady fails to teach “an alias database having an alias corresponding to the call identification information”. Rhodes teaches name database including an alias information corresponding to the caller ID services (abstract; col.3, lines 18-43; ‘name database including’ reads on the claim ‘an alias database having’, ‘alias information’ reads on the claim ‘alias’ and ‘caller ID services’ reads on the claim ‘call identification information’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow an alias database having an alias as taught by Rhodes. The motivation for the modification is to have the alias database in order to store an assumed name under which users may post messages.

Brady fails to teach “the filename generator is configured and arranged to receive the alias”. Rhodes teaches including the alias information (abstract; col.3, lines 18-43; ‘including’ reads on the claim ‘the filename generator is configured and arranged to receive’ and ‘alias information’ reads on the claim ‘alias’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow an alias as taught by Rhodes. The motivation for the modification is to have the alias in order to provide an assumed name under which users may post messages.

Art Unit: 2645

13. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Smiga et al. (U.S. Patent No. 6,421,678) and further in view of Groner (U.S. Patent No. 6,507,643).

Regarding claim 24, Brady in view of Smiga fails to teach “the user interface resides within a wireless remote station”. Groner teaches the user interface within a wireless phone (col.1, lines 33-53, col.2, lines 22-38, col.5, lines 5-67, col.6, lines 1-51, col.10, lines 19-28; ‘within’ reads on the claim ‘resides within’ and ‘wireless phone’ reads on the claim ‘wireless remote station’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady in view of Smiga to allow the user interface within a wireless remote station as taught by Groner. The motivation for the modification is to have the user interface in order to provide wireless communication.

14. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Groner (U.S. Patent No. 6,507,643).

Regarding claim 27, Brady fails to teach “the storage interface resides within wireless infrastructure apparatus”. Groner teaches memory within wireless phone (col.1, lines 33-53, col.2, lines 22-38, col.5, lines 5-67, col.6, lines 1-51, col.10, lines 19-28; ‘memory within’ reads on the claim ‘storage interface resides within’ and ‘wireless phone’ reads on the claim ‘wireless infrastructure apparatus’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow storage interface residing within wireless infrastructure apparatus as taught by Groner. The motivation for the modification is to have the storage interface in

Art Unit: 2645

order to provide an option to retrieve information associated with a phone number for later use

15. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U.S. Patent No. 5,982,857) and in view of Robb (U.S. Patent No. 6,177,950).

Regarding claim 28, Brady fails to teach "the telephone interface is wireless". Robb teaches that the telephone interface is wireless (col.2, lines 11-18). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brady to allow telephone interface as taught by Robb. The motivation for the modification is to have the wireless telephone interface in order to provide the wireless communication.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McNerney et al. (US Patent No. 6,038,293) teach Method and system for efficiently transferring telephone calls and Crockett et al. (US Patent No. 6,278,771) teach Method and system for providing enhanced call waiting with verification and name change service.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

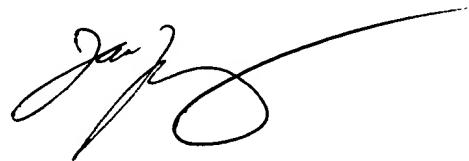
Art Unit: 2645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE
July 24, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to be 'Fan Tsang', written in a cursive style with a long horizontal stroke extending to the right.